

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE IOSHA BOARD OF
SAFETY REVIEW

F I L E D

IN THE MATTER OF THE)
COMMISSIONER OF LABOR,)
)
Complainant,)

JAN 04 2013

Indiana Board of
Safety Review

v.)

CASE DOCKET NO. 12-006 and
12-015

SENSIENT FLAVORS, LLC,)
AND ITS SUCCESSORS,)
)
Respondent.)

FINAL ORDER

The parties to the above-referenced proceeding, through their duly authorized representatives, have filed with the Board their Agreed Entry. The Board, being duly advised, voted on December 19, 2012 to accept the Respondent's withdrawal of its Notice of Contest, and adopt the Safety Orders and penalty issued by the Commissioner of Labor, as modified by the Agreed Entry, as its final order in this matter.

IT IS ORDERED that the Respondent's withdrawal of its Notice of Contest is accepted and the Safety Orders and penalty issued by the Commissioner of Labor, as modified by the Agreed Entry, is adopted as a final order.

Dated: 4 January 2013


Danny Deighton, Chairman

Copies to:

Nicole M. Schuster
Deputy Attorney General
Counsel for the Department of Labor
Indiana Department of Labor
402 W. Washington St., Rm. W195
Indianapolis, IN 46204

Mark S. Kittaka
BARNES & THORNBURG LLP
600 One Summit Square
Fort Wayne, IN 46802-3119

Mike Hubrecht
Teamsters Local Union No. 135
1233 Shelby Street
Indianapolis, IN 46203

Dave Shurick
1446 Royal Lake Drive
Indianapolis, IN 46228

Fred O. Towe
FILLENWARTH DENNERLINE
GROTH & TOWE, LLP
429 E. Vermont Street, Suite 200
Indianapolis, IN 46202

IN THE STATE OF INDIANA)

COUNTY OF MARION)

)
) SS:
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BEFORE THE IOSHA BOARD OF
SAFETY REVIEW
CASE DOCKET NO. 12-006 AND 12-015

IN THE MATTER OF:

COMMISSIONER OF LABOR,)

Complainant,)

v.)

SENSIENT FLAVORS LLC
AND ITS SUCCESSORS)

Respondent.)

F I L E D

DEC 19 2012

Indiana Board of
Safety Review

AGREED ENTRY

The parties to the above-captioned proceeding, the Commissioner of the Indiana Department of Labor, Sensient Flavors LLC ("Sensient Flavors") and Teamsters Local 135 ("Teamsters"), through their duly authorized representatives, being desirous of entering into this Agreed Entry prior to hearing do hereby stipulate and agree as follows:

PART I.

1. From September 15, 2011 through April 20, 2012, authorized employees of the Indiana Department of Labor conducted an inspection at the Respondent's jobsite located at 5600 West Raymond Street, Indianapolis, Indiana 46241.

2. On March 19, 2012 and June 18, 2012, the Commissioner of Labor issued 2 sets of safety orders (hereinafter "1st Set of Safety Orders" and "2nd Set of Safety Orders" respectively) (Indiana Department of Labor Inspection No. 315051318) alleging that Sensient Flavors had violated the Indiana Occupational Safety and Health Act (IC 22-8-1.1 *et seq.*) or the standards or rules thereunder. The 1st Set of Safety Orders and 2nd Set of Safety Orders include various safety orders and items which are numbered sequentially (i.e., 1st Set of Safety Orders (Safety Order 1 Items 1-7) and 2nd Set of Safety Orders (Safety Order 1 Items 8-27 and Safety Order 2 Items 1-3b)

and are attached hereto as Exhibit A and are incorporated herein.

3. On April 11, 2012 and July 12, 2012 Respondent duly and timely petitioned for review of the 1st Set of Safety Orders and the 2nd Set of Safety Orders, respectively.

4. After the separate appeals, the two sets of safety orders were consolidated into a single matter by an Order of the Board of Safety Review on August 24, 2012 (Case Docket Nos. 12-006 and 12-015).

5. Teamsters filed a petition for party status in the proceeding and it was granted on July 30, 2012.

PART II.

6. The Petitioned for review Safety Order No. 1 consists of Item No. 1 through Item No. 27.

7. The Petitioned for review Safety Order No. 2 consists of Item Nos. 1, 2, 3a and 3b.

8. Safety Order No. 1, Item No. 1 alleges a "Serious" violation of 29 CFR 1910.23(a)(8) and assesses a total penalty of Two Thousand Dollars (\$2,000).

9. Safety Order No. 1, Item No. 2 alleges a "Serious" violation of 29 CFR 1910.106(d)(4)(iv) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

10. Safety Order No. 1, Item No. 3 alleges a "Serious" violation of 29 CFR 1910.106(e)(2)(ii)(b)(1) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

11. Safety Order No. 1, Item No. 4 alleges a "Serious" violation of 29 CFR 1910.106(e)(2)(ii)(b)(2) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

12. Safety Order No. 1, Item No. 5 alleges a "Serious" violation of 29 CFR 1910.1200(f)(5)(ii) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

13. Safety Order No. 1, Item No. 6 alleges a "Serious" violation of 29 CFR 1910.1201(a) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

14. Safety Order No. 1, Item No. 7 alleges a "Serious" violation of 29 CFR 1910.1201(c) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

15. Safety Order No. 1, Item No. 8 alleges a "Serious" violation of IC 22-8-1.1, Section 2 and assesses a total penalty of Seven Thousand Dollars (\$7,000).

16. Safety Order No. 1, Item No. 9 alleges a "Serious" violation of IC 22-8-1.1, Section 2 and assesses a total penalty of Five Thousand Dollars (\$5,000).

17. Safety Order No. 1, Item No. 10 alleges a "Serious" violation of 29 CFR 1910.36(b)(1) and assesses a total penalty of Five Thousand Dollars (\$5,000).

18. Safety Order No. 1, Item No. 11 alleges a "Serious" violation of 29 CFR 1910.37(a)(2) and assesses a total penalty of Five Thousand Dollars (\$5,000).

19. Safety Order No. 1, Item No. 12 alleges a "Serious" violation of 29 CFR 1910.106(e)(2)(iv)(d) and assesses a total penalty of Five Thousand Dollars (\$5,000).

20. Safety Order No. 1, Item No. 13 alleges a "Serious" violation of 29 CFR 1910.106(e)(6)(i) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

21. Safety Order No. 1, Item No. 14 alleges a "Serious" violation of 29 CFR 1910.106(e)(6)(ii) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

22. Safety Order No. 1, Item No. 15 alleges a "Serious" violation of 29 CFR 1910.134(d)(1)(iii) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

23. Safety Order No. 1, Item No. 16 alleges a "Serious" violation of 29 CFR 1910.134(d)(2)(i) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

24. Safety Order No. 1, Item No. 17 alleges a "Serious" violation of 29 CFR 1910.134(d)(3)(i) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

25. Safety Order No. 1, Item No. 18 alleges a "Serious" violation of 29 CFR 1910.134(d)(3)(i)(B)(1) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

26. Safety Order No. 1, Item No. 19 alleges a "Serious" violation of 29 CFR 1910.134(m)(4) and assesses a total penalty of Five Thousand Dollars (\$5,000).

27. Safety Order No. 1, Item No. 20 alleges a "Serious" violation of 29 CFR 1910.138(a) and assesses a total penalty of Two Thousand Five Hundred Dollars (\$2,500).

28. Safety Order No. 1, Item No. 21 alleges a "Serious" violation of 29 CFR 1910.146(d)(9) and assesses a total penalty of Five Thousand Dollars (\$5,000).

29. Safety Order No. 1, Item No. 22 alleges a "Serious" violation of 29 CFR 1910.146(k)(1)(i) and assesses a total penalty of Five Thousand Dollars (\$5,000).

30. Safety Order No. 1, Item No. 23 alleges a "Serious" violation of 29 CFR 1910.146(k)(1)(ii) and assesses a total penalty of Five Thousand Dollars (\$5,000).

31. Safety Order No. 1, Item No. 24 alleges a "Serious" violation of 29 CFR 1910.146(k)(1)(iv) and assesses a total penalty of Five Thousand Dollars (\$5,000).

32. Safety Order No. 1, Item No. 25 alleges a "Serious" violation of 29 CFR 1910.146(k)(5)(v) and assesses a total penalty of Five Thousand Dollars (\$5,000).

33. Safety Order No. 1, Item No. 26 alleges a "Serious" violation of 29 CFR 1910.307(c) and assesses a total penalty of Five Thousand Dollars (\$5,000).

34. Safety Order No. 1, Item No. 27 alleges a "Serious" violation of 29 CFR 1910.1200(h)(1) and assesses a total penalty of Seven Thousand Dollars (\$7,000).

35. The total penalty for Safety Order No. 1 is One Hundred Thirteen Thousand Five Dollars (\$113,500).

36. Safety Order No. 2, Item No. 1 alleges a "Knowing" violation of IC 22-8-1.1, Section 2, and assesses a total penalty of Seventy Thousand Dollars (\$70,000).

37. Safety Order No. 2, Item No 2 alleges a "Knowing" violation of 29 CFR 1910.134(d)(1)(i) and assesses a total penalty of Seventy Thousand Dollars (\$70,000).

38. Safety Order No. 2, Item No. 3a and 3b alleges a "Knowing" violation of 29 CFR 1910.1000(b)(2) and 29 CFR 1910.1000(e), respectively, and assesses a total penalty of Seventy Thousand Dollars (\$70,000).

39. The total penalty for Safety Order No. 2 is Two Hundred Ten Thousand Dollars (\$210,000).

PART III.

40. Complainant amends Safety Order No. 1, Item No. 1 by reducing the classification from a "Serious" to a "Nonserious" violation and the penalty remains unchanged.

41. Safety Order No. 1, Item No. 2 remains unchanged in its entirety.

42. Complainant amends Safety Order No. 1, Item Nos. 3, and 4 are amended by grouping the two violations into Item No. 2 and the penalty remains Seven Thousand Dollars (\$7,000).

43. Safety Order No. 1, Item Nos. 5, 6, and 7 are amended by grouping the three violations into Item No. 5 and the penalty remains Seven Thousand Dollars (\$7,000).

44. Complainant amends Safety Order No. 1, Item No. 8 by deleting the violation in its entirety including the penalty.

45. Complainant amends Safety Order No. 1, Item No. 9 and Item No. 26 by grouping the two violations into Item No. 9 and the penalty remains Five Thousand Dollars (\$5,000).

46. Complainant amends Safety Order No. 1, Item No. 10 and Item No. 11 by grouping the two violations into Item No. 10 and the penalty remains Five Thousand Dollars (\$5,000).

47. Complainant amends Safety Order No. 1, Item Nos. 12, 13 and 14 by grouping the three violations into Item No. 12 and the penalty remains Five Thousand Dollars (\$5,000).

48. Complainant amends Safety Order No. 1, Item Nos. 15, 16, 17, and 18 by grouping the four violations into Item No. 17 along with subparagraph (b) of Safety Order No. 2 Item 2 and the penalty remains Seven Thousand Dollars (\$7,000).

49. Complainant amends Safety Order No. 1, Item Nos. 17 and 18 to read as indicated in Exhibit B attached and incorporated herein.

50. Complainant amends Safety Order No. 1, Item No. 19 remains a "Serious" violation, but the penalty is reduced from Five Thousand (\$5,000) to Two Thousand Five Hundred Dollars (\$2,500).

51. Complainant amends Safety Order No. 1, Item No. 20 by deleting this item in its entirety including the penalty.

52. Complainant amends Safety Order No. 1, Item No. 21 by deleting this item in its entirety including the penalty.

53. Complainant amends Safety Order No. 1, Item No. 22 by deleting this item in its entirety including the penalty.

54. Complainant amends Safety Order No. 1, Item No. 23 remains a "Serious" violation, but the penalty is reduced from Five Thousand Dollars (\$5,000) to Two Thousand Five Hundred Dollars (\$2,500).

55. Complainant amends Safety Order No. 1, Item 24 by deleting this item in its entirety including the penalty.

56. Complainant amends Safety Order No. 1, Item 25 by deleting this item in its entirety including the penalty.

57. Safety Order No. 1, Item No. 27 remains unchanged in its entirety including the penalty.

58. The Agreed total penalty for all violations and all subparts thereunder subject to this Agreed Entry is Fifty Seven Thousand Dollars (\$57,000).

59. Complainant amends Safety Order No. 2, Item Nos. 1, 3a and 3b by grouping these items into Safety Order No. 2, Item 1, reclassifying the violations from a "Knowing" to a "Serious" violation and reducing the penalty from Seventy Thousand Dollars (\$70,000) to Seven Thousand

Dollars (\$7,000).

60. Complainant also amends Safety Order No. 2, Item 1 to read as indicated in Exhibit B attached and incorporated herein.

61. Complainant amends Safety Order No. 2, Item No. 2, by reducing the penalty from Seventy Thousand Dollars (\$70,000) to Thirty Five Thousand Dollars (\$35,000). Subparagraph (b) under Safety Order No.2, Item 2 is deleted and grouped under Safety Order No. 1, Item 17 to read as indicated in Exhibit B attached and incorporated herein.

62. Complainant amends Safety Order No. 2, Item Nos. 3a and 3b by reducing the violation from a "Knowing" to a "Serious" violation and grouping it with Safety Order No. 2 Item 1 as noted in paragraph 57 above.

63. Respondent agrees to two (2) random monitoring visits by IOSHA within the twelve (12) month period following the affirmation of this Agreed Entry by the Board of Safety Review.

64. Respondent agrees to reevaluate the facility's Respirator Protection Program by no later than 30 days after the final affirmation of this agreement by the Indiana Board of Safety Review.

65. Respondent agrees for a period of three (3) years, beginning the day of the final affirmation of this Agreed Entry by the Indiana Board of Safety Review, to comply with a diacetyl exposure standard of 0.04 ppm 8-hour time weighted average (TWA) and 0.16 ppm short term exposure limit (STEL) (the "Compliance Standard"), unless and until federal OSHA promulgates a permissible exposure limit (PEL) for diacetyl through the use of engineering and administrative controls already implemented, while continuing to reevaluate and implement potential economically feasible upgrades to the current engineering controls and administrative controls, and otherwise through the use of personal protective equipment including respirators which will allow the Respondent time to research and implement the use of a safe replacement for the use of diacetyl and/or other methods for reducing the potential exposure to diacetyl.

66. Sensient agrees to exercise its best efforts to eliminate or significantly reduce the potential for exposures to diacetyl at the Facility through the adoption, by the dates indicated below, of the following administrative and engineering controls:

- a. working with customers to eliminate, where feasible, diacetyl as an ingredient in products manufactured at the Facility (by December 31, 2012);
- b. eliminating, where feasible, neat pours of diacetyl by sourcing raw materials containing the relatively small concentrations of diacetyl required for the manufacture of diacetyl-containing products at the Facility (by March 31, 2013); and
- c. performing all remaining neat pours of diacetyl with an auto-compounding machine to be located in a separate room from the operator control room (as soon as practicable, but no later than September 30, 2013).

IOSHA and the Teamsters acknowledge that the administrative and engineering controls outlined above represent a good faith effort by Sensient to reduce employee exposures and that these controls will represent a significant cost to Sensient. IOSHA and the Teamsters agree that, in the event these controls do not reduce employee exposures to diacetyl to below the Compliance Standard or a future PEL, for a period of three (3) years from the date of execution of this Agreement Sensient may rely upon personal protective equipment to achieve any remaining incremental decrease in exposure potential necessary for compliance instead of pursuing additional engineering or administrative controls.

67. Subject to paragraphs 64 and 65 above, Respondent agrees to implement the following hierarchy when adhering to the agreed Compliance Standard for diacetyl: 1. feasible engineering controls; 2. feasible administrative controls; and 3. personal protective equipment, including respirators, in order starting with number 1. Respondent agrees to periodically reevaluate and implement economically feasible upgrades when they become available.

68. The total penalty for Safety Order No. 2 is Forty Two Thousand Dollars (\$42,000).

69. The AGREED total penalty for all violations and all subparts thereunder subject to this Agreed Entry is Ninety Nine Thousand Dollars (\$99,000).

70. Respondent shall have until 30 days following the affirmation of this Agreed Entry by the Board of Safety Review to abate Safety Order No. 1 Item 10.

71. Respondent confirms Complainant's right to re-inspect its workplaces, in accordance with the Act and to verify abatement of the alleged violations.

72. Respondent hereby withdraws its petitions for review previously filed in this matter.

PART IV.

73. Except where specifically stated, nothing contained in this Agreed Entry shall be construed to affect the Commissioner's interpretation of the Act or any standard or regulation enforced pursuant thereto or the applicable classification thereof.

74. It is understood and agreed by the Respondent and Complainant that this Agreed Entry and attachments will constitute a final, enforceable OSHA Safety Order(s) and penalties for the purposes of the Indiana Occupational Safety and Health Act ("Act").

75. Except for these proceedings, and matters arising out of these proceedings and any other subsequent OSHA proceedings between the parties, none of the foregoing agreements, statements, findings, and actions taken by the Respondent shall be deemed an admission. The agreements, statements, findings, and actions taken herein are made in order to compromise and settle this matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

76. The invalidity or unenforceability of any section, subsection, clause or provision of this Agreed Entry does not affect the remaining sections, subsections, clauses, or provisions of this Agreed Entry.

77. Respondent, upon full execution of this Agreed Entry, will post this Agreed Entry for three (3) working days or until abatement is completed, whichever period is longer, pursuant to Board of Safety Review Rules of Procedure, 615 IAC 1-2-18(b)(3).

AGREED this 18th day of December 2012

SENSIENT FLAVORS LLC

By: John L. Hummel
Title: Vice President + Secretary

COMMISSIONER OF LABOR

By: Timothy E. Maley
Timothy E. Maley
Deputy Commissioner of Labor
IOSHA

TEAMSTERS LOCAL UNION 135

By: _____
Fred O. Towe
Fillenwarth Dennerline Groth & Towe, LLP
Counsel for the Union (affected employees)

Approved as to form:

By: _____
Mark S. Kittaka
Counsel for Respondent

By: Julie C. Alexander
Julie C. Alexander
Director, Industrial Hygiene
IOSHA

By: Nicole Schuster
Nicole Schuster
Deputy Attorney General

77. Respondent, upon full execution of this Agreed Entry, will post this Agreed Entry for three (3) working days or until abatement is completed, whichever period is longer, pursuant to Board of Safety Review Rules of Procedure, 615 IAC 1-2-18(b)(3).

AGREED this 15th day of December, 2012

SENSIENT FLAVORS LLC

By: _____

Title: _____

COMMISSIONER OF LABOR

By: Timothy E. Maley
Timothy E. Maley
Deputy Commissioner of Labor
IOSHA

TEAMSTERS LOCAL UNION 135

By: Fred O. Towe
Fred O. Towe

Fillenwarth Dennerline Groth & Towe, LLP
Counsel for the Union (affected employees)

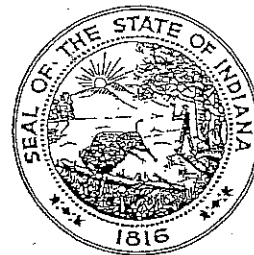
Approved as to form:

By: Mark S. Kittaka
Mark S. Kittaka
Counsel for Respondent

By: Julie C. Alexander
Julie C. Alexander
Director, Industrial Hygiene
IOSHA

By: Nicole Schuster
Nicole Schuster
Deputy Attorney General

Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509



Certified mail # 7003 1010 0003 5732 1834 3-19-12 jha

Safety Order and Notification of Penalty

To:

Sensient Flavors, LLC,
and its successors
5600 West Raymond Street
Indianapolis, IN 46241

Inspection Number: 315051318

Inspection Date(s): 09/15/2011 - 03/16/2012

Issuance Date: 03/19/2012

Inspection Site:

5600 West Raymond Street
Indianapolis, IN 46241

The violation(s) described in this Safety Order and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days

Exhibit
A

on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s) and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance during the

prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty.

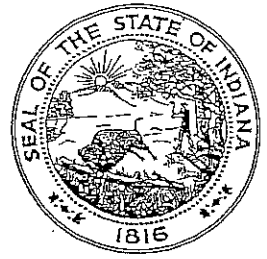
Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the Indiana Department of Labor/IOSHA at the address shown above.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to

the Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 03/19/2012. The conference will be held at the IOSHA office located at 402 West

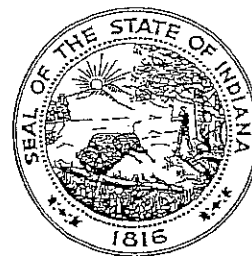
Washington Street, Room W195, Indianapolis, IN 46204 on _____ at

_____. Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.23(a)(8): Floor hole(s), into which persons could accidentally walk, were not guarded by standard railings with standard toe-boards on all exposed sides or by floor hole covers of standard strength and construction:

Thaw Room, Liquid Compounding - Several portions of the metal grating located above the drainage trough located on the left side of the floor were severely damaged, which created several large openings (holes) above the approximately 18.0-inch deep drainage trough.

Date By Which Violation Must be Abated: 04/12/2012
Proposed Penalty: \$2,000.00

Safety Order 1 Item 2 Type of Violation: **Serious**

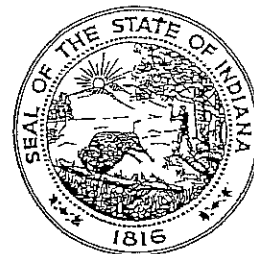
29 CFR 1910.106(d)(4)(iv): The ventilation system(s) of the inside flammable or combustible liquid storage room(s) were not designed to provide for a complete change of air within the room at least six times per hour:

Flammable Storage Area 14 (Area 14) - Approximately 11,027-gallons of flammable liquids were stored in portable containers inside of Area 14. Although Area 14 was equipped with a mechanical ventilation system, this ventilation system only exhausted (turned over) the air within Area 14 between approximately 2.09 and 2.74 times per hour.

Date By Which Violation Must be Abated: 04/12/2012
Proposed Penalty: \$7,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(ii)(b)(1): More than 25 gallons of Class IA flammable liquids in containers were located outside of inside storage room(s) or storage cabinet(s):

(a) Area 40 (Freezer) - Approximately 70-gallons of Class IA Flammable Liquids such as, but not limited to Acetaldehyde 100%, Methyl Butyrate, Dimethyl Sulfide, Orange Light Fraction and Methylbutyraldehyde were stored throughout Area 40 in portable containers.

(b) Area 41 (Refrigerator/Cooler) - Approximately 100-gallons of Class IA Flammable Liquids such as, but not limited to Acetaldehyde 50%, Dimethyl Sulfide, Rum Ether ART and Civic Tinct 90% Alcohol were stored throughout Area 41 in portable containers.

Date By Which Violation Must be Abated: 04/12/2012
Proposed Penalty: \$7,000.00

Safety Order 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(ii)(b)(2): More than 120 gallons of Class IB, IC, II or III flammable or combustible liquids in containers were located outside of inside storage room(s) or storage cabinet(s):

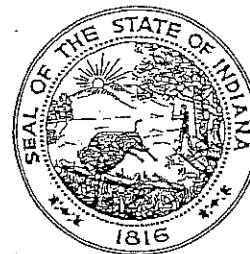
Area 41 (Refrigerator/Cooler) - Approximately 1,500-gallons of Class IB and IC Flammable Liquids such as, but not limited to Lemon Lime, Blackberry WONF, Blackberry Flavor, Bacon Type, Blackberry NAT, Lemon Lime NAT EXT, Orange Mandarin WONF, Isovaleraldehyde, Strawberry 20% and Propionaldehyde 97% were stored throughout Area 41 in portable containers.

Date By Which Violation Must be Abated: 04/12/2012
Proposed Penalty: \$7,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with appropriate hazard warnings, or alternatively, words, pictures, symbols, or combination thereof, which provided at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, provided employees with the specific information regarding the physical and health hazards of the hazardous chemical:

- (a) Area 41 (Refrigerator/Cooler) - Three plastic containers of Butter Esters NAT 243132 (K08611), a Class IC Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "1." The chemical manufacturer/vendor labeled each of the containers of Butter Esters with a flammability rating of "3." The chemical manufacturer/vendor also labeled each of the containers of Butter Esters as flammable liquids.
- (b) Area 30 (USDA Cooler) - A plastic container of Butter Esters NAT HK (K08666), a Class IC Flammable Liquid, was labeled by Sensient Flavorings with health and flammability ratings of "0" and "1" respectively. The chemical manufacturer/vendor labeled the container of Butter Esters as a flammable liquid, and the chemical manufacturer's/vendor's Material Safety Data Sheet (MSDS) stated that the Butter Esters had health and flammability ratings of "1" and "3" respectively.
- (c) Warehouse (Near Dry Blend) - A 55-pound bag of Emery 655 Myristic Acid #6355 *2764 (K07517) was labeled by Sensient Flavorings with a health rating of "1." The chemical manufacturer/vendor labeled the bag of Myristic Acid with a health rating of "2."
- (d) Warehouse (Near Dry Blend) - Three plastic containers of Propenyl Guaethol *2922 (K01655) were labeled by Sensient Flavorings with a health rating of "0." The chemical manufacturer/vendor labeled the containers of Propenyl Guaethol with a health rating of "1."
- (e) Flammable Storage Room 14 (Area 14) - A plastic container of Isoamyl Acetate 65 % (K01520) was labeled by Sensient Flavorings with a flammability rating of "2." The chemical manufacturer/vendor labeled the container of Isoamyl Acetate with a flammability rating of "3." 3 3 3
- (f) Flammable Storage Room 14 (Area 14) - A metal container of Guaiacol Pure 99 % #2532 (K09601) was labeled by Sensient Flavorings with a health rating of "1." The chemical manufacturer/vendor labeled the containers of Guaiacol Pure 99 % with a health rating of "3." 2, 1.
- (g) Area 40 (Freezer) - Nine metal containers of Acetaldehyde 100 % *2003 FLAM (K01862), a Class IA Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "3." The chemical manufacturer's/vendor's

Indiana Department of Labor

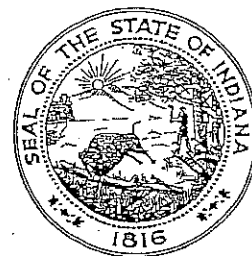
Occupational Safety and Health Administration

Inspection Number: 315051318

Inspection Dates: 09/15/2011 -

03/16/2012

Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC

Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

MSDS stated that the Acetaldehyde 100% had a flammability rating of "4."

(h) Area 40 (Freezer) - Two metal containers of Acetaldehyde 100% *2003 FLAM (K01862), a Class IA Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "3." The chemical manufacturer's/vendor's MSDS stated that the Acetaldehyde 100% had a flammability rating of "4."

(i) Warehouse (Near Dry Blend) - Two plastic containers of Veratraldehyde *3109 (K09551) were labeled by Sensient Flavorings with a flammability rating of "0." The chemical manufacturer's/vendor's MSDS stated that the containers of Veratraldehyde had a flammability rating of "1."

(j) Flammable Storage Room 14 (Area 14) - A metal container of Isoamyl Alc Fusel *2057 95% (K01596) was labeled by Sensient Flavorings with health and flammability ratings of "1" and "2" respectively. The chemical manufacturer/vendor labeled the container of Isoamyl Alc Fusel as a flammable liquid, and the chemical manufacturer's/vendor's Material Safety Data Sheet (MSDS) stated that the Isoamyl Alc Fusel had health and flammability ratings of "2" and "3" respectively.

(k) Area 41 (Refrigerator/Cooler) - Three metal containers of Acetaldehyde 50% Alc FLAMM (K01501), a Class IA Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "3." The chemical manufacturer's/vendor's MSDS stated that the Acetaldehyde 50% Alc had a flammability rating of "4."

(l) Area 41 (Refrigerator/Cooler) - Two plastic containers of Apple Juice Flav 5.82425 NAT (K10001318), a Class IC Flammable Liquid, were not labeled with appropriate hazard warning information. Although Sensient Flavorings had affixed "K Labels" to each of the Apple Juice containers, the NFPA Diamonds located on these "K Labels" were blank and no numbers were printed or entered inside of any of the diamonds.

(m) Outside of Facility, Inside of Semi-Trailer #2 - Three plastic containers of Orange Citrus Flavor WONF (2036016) were not labeled with appropriate hazard warning information such as, but not limited to health, flammability and reactivity.

(n) Flammable Storage Room 14 (Area 14) - Three plastic containers of Lemon CALIF. 10% Ethyl Alcohol (X08208) were not labeled with appropriate hazard warning information such as, but not limited to health, flammability and reactivity.

(o) Flammable Storage Room 14 (Area 14) - A plastic container of Citrus Berry (X1000002618) was not labeled with appropriate hazard warning information such as, but not limited to health, flammability and reactivity.

Date By Which Violation Must be Abated:

04/12/2012

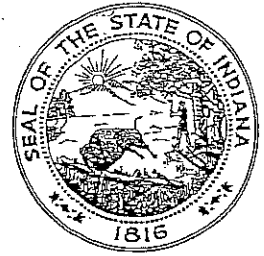
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.1201(a): Any employer who received a package of hazardous material which was required to be marked, labeled or placarded in accordance with the U. S. Department of Transportation's Hazardous Materials Regulations (49 CFR Parts 171 through 180) did not retain those markings, labels and placards on the package until the packaging was sufficiently cleaned of residue and purged of vapors to remove any potential hazards:

Area 30 (USDA Cooler) - A Department of Transportation (DOT) "Flammable Liquid" Placard/Label was removed from a plastic container of Butter Esters NAT 243132 (K08611).

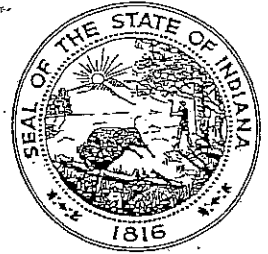
Date By Which Violation Must be Abated:
Proposed Penalty:

04/12/2012
\$7,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC

Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.1201(c): Markings, placards and labels were not maintained in a manner that ensured that they were readily visible:


- (a) Area 40 (Freezer) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Orange Lt Fraction ORG72 (K12495).
- (b) Area 40 (Freezer) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Methyl Butyrate *2693 FP57F (K01996).
- (c) Area 40 (Freezer) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a glass container of 2-Methylbutyraldehyde *2691 (K01713).
- (d) Flammable Storage Room 14 (Area 14) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Propyl Propionate *2958 (K09896).
- (e) Flammable Storage Room 14 (Area 14) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Pinene Alpha NAT *2902 (K01779).
- (f) Area 41 (Refrigerator/Cooler) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a plastic container of Hexanal Ald C (K09677).
- (g) Warehouse (Near Dry Blend) - Sensient Flavorings' "K Label" was affixed over and obscured the "health" and "flammability" portions of the chemical manufacturer's/vendor's HMIS Hazard Warning Label located on a plastic container of Propenyl Guaethol *2922 (K01655).

Date By Which Violation Must be Abated:

04/12/2012

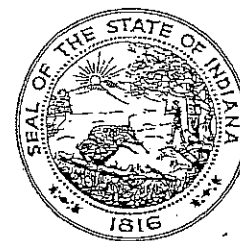
Proposed Penalty:

\$7,000.00



Robert A. Kattau
Director, Industrial Compliance

Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509



INVOICE/DEBT COLLECTION NOTICE

Company Name: Sensient Flavors, LLC,
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241
Issuance Date: 03/19/2012

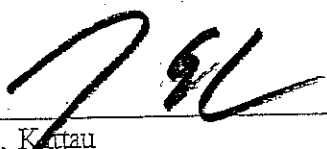
Summary of Penalties for Inspection Number	315051318
Safety Order 01, Serious	= \$44,000.00
Total Proposed Penalties	\$44,000.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).

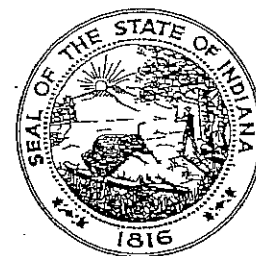

Robert A. Kautz
Director, Industrial Compliance


Date

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 8 Type of Violation: **Serious**

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to harmful airborne concentrations of acetic acid which could lead to employees experiencing injuries and/or illnesses such as, but not limited to decreased pulmonary (lung) function and/or severe respiratory tract irritation:

(a) Flammable Liquid Compounding Area - A Compounder was exposed to acetic acid at 28.50 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 1.9 times the 2011 American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Value (TLV-STEL) of 15.0 ppm for acetic acid. The exposure level was derived from a 15 minute sampling period on February 2, 2012.

(b) Flammable Liquid Compounding Area - A Compounder was exposed to acetic acid at 54.70 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 3.7 times the 2011 American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Value (TLV-STEL) of 15.0 ppm for acetic acid. The exposure level was derived from a 15 minute sampling period on February 2, 2012.

Among other methods, one feasible and acceptable method to correct this hazard is to install a local exhaust ventilation (LEV) system in the portions of the Flammable Liquid Compounding Area where acetic acid is transferred. This LEV system should be sufficient in power (capture velocity, flowrate, etc.) and location so that any acetic acid that is generated and/or emitted during transfer/pouring operations is removed from the point of use or generation prior to entering employees' breathing zones.

Abatement Schedule

STEP 1- Effective respiratory protection shall be provided to and used by exposed employees as an interim measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Date By Which STEP 1 Must be Abated

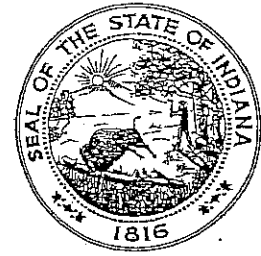
07/06/2012

STEP 2- A written detailed plan of abatement shall be submitted to the Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to noise as referenced in this Safety Order. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this Safety Order:

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 30-day progress reports are required during the abatement period.

Date By Which STEP 2 Must be Abated

08/06/2012

STEP 3-

Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Date By Which Violation Must be Abated:

10/17/2012

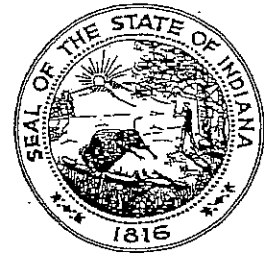
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 9 Type of Violation: **Serious**

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to 2nd and/or 3rd degree burns and smoke inhalation due to improper storage of flammable and combustible liquids:

(a) Parking Lot (5700 Area) - Receiving employees accessed flammable and/or combustible liquids stored inside of six trailers which were located outside of the facility. None of the these six trailers were equipped with ventilation that exhausted the air from inside of the trailers.

(b) Parking Lot (5700 Area) - Receiving employees accessed flammable and/or combustible liquids stored inside of six trailers which were located outside of the facility. None of the these six trailers were equipped with spill containment systems.

Among other methods, one feasible and acceptable method to correct these hazards is to store flammable and combustible liquids in accordance with the National Fire Protection Association's (NFPA) *Flammable and Combustible Liquids Code* (NFPA 30-2008). Specifically, the trailers should be designed in accordance with Section 14 (Hazardous Material Storage Lockers) of NFPA 30-2008.

Date By Which Violation Must be Abated:

07/13/2012

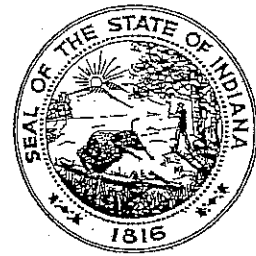
Proposed Penalty:

\$5,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.36(b)(1): Building(s) or structure(s) designed for human occupancy were not provided with exits sufficient to permit the prompt escape of occupants in case of fire or other emergency:

(a) X-Oil Room - Employees who worked inside of and near the X-Oil Room, a high hazard area, would have to travel an excessive distance to reach the nearest emergency exit(s). The closest three emergency exits to the X-Oil Room were located inside of the Flammable Storage Room 14 (Area 14), the Maintenance Shop and the Reactions Area. The Area 14 Exit was located approximately 213-feet from the furthest point where X-Oil Room employees would access the emergency exit. The Maintenance Shop Exit was located approximately 217-feet from the furthest point where X-Oil Room employees would access the emergency exit. The Reactions Area Exit was located approximately 193-feet from the furthest point where X-Oil Room employees would access the emergency exit.

(b) Liquid Compounding Area - Employees who worked inside of and near the Liquid Compounding Area, a high hazard area, would have to travel an excessive distance to reach the nearest emergency exit(s). The closest two emergency exits to the Liquid Compounding Area were located inside of the Receiving Department and near the Old Dock at the North end of the facility. The Receiving Department Exit was located approximately 287-feet from the furthest point where Liquid Compounding Area employees would access the emergency exit. The Old Dock Exit was located approximately 244-feet from the furthest point where Liquid Compounding Area employees would access the emergency exit.

Date By Which Violation Must be Abated:

07/13/2012

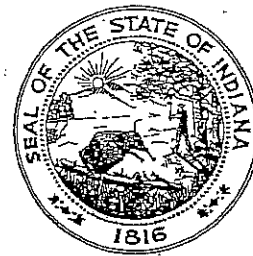
Proposed Penalty:

\$5,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 -
04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.37(a)(2): Exit routes were not arranged so that employees did not have to travel toward a high hazard area:

(a) Flammable Storage Room (Area 14) - One of the designated emergency exit route(s) from the X-Oil Room ran through Area 14, where approximately 11,000 gallons of flammable (Class IA, IB & IC) liquids were stored.

(b) Reactions Area - One of the designated emergency exit route(s) from the X-Oil Room ran through the Reactions Area, where concentrations of hydrogen sulfide (H_2S) in excess of the OSHA Permissible Exposure Limit (PEL) (Ceiling) and IDLH were present.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$5,000.00

Safety Order 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(iv)(d): Flammable or combustible liquids were not drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve:

Facility Wide - Employees transferred flammable and combustible liquids such as, but not limited to ethyl alcohol (ethanol), acetic acid, dimethyl sulfide and benzaldehyde from various drums and/or containers using manually activated dispensing valves.

Date By Which Violation Must be Abated:

07/13/2012

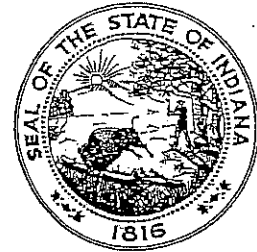
Proposed Penalty:

\$5,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.106(e)(6)(i): Adequate precautions against the ignition of flammable vapors were not taken:

X-Oil Room, Liquid Compounding - Compounders transferred flammable liquids such as, but not limited to acetaldehyde (a Class IA Flammable Liquid), diacetyl (a Class IB Flammable Liquid), ethanol (a Class IB Flammable Liquid), propionaldehyde (a Class IB Flammable Liquid) and dimethyl sulfide (a Class IB Flammable Liquid) from one portable container to another portable container without grounding and bonding the containers used during the transfer operations.

Date By Which Violation Must be Abated: 07/13/2012
Proposed Penalty: \$7,000.00

Safety Order 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.106(e)(6)(ii): Class I flammable liquid(s) were dispensed into containers without electrically interconnecting the nozzle and the container:

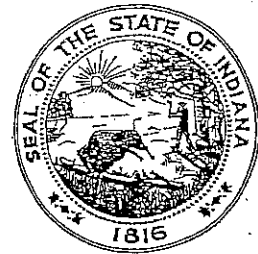
X-Oil Room, Liquid Compounding - Compounders transferred flammable liquids such as, but not limited to acetaldehyde (a Class IA Flammable Liquid), diacetyl (a Class IB Flammable Liquid), ethanol (a Class IB Flammable Liquid), propionaldehyde (a Class IB Flammable Liquid) and dimethyl sulfide (a Class IB Flammable Liquid) from one portable container to another portable container without grounding and bonding the containers used during the transfer operations.

Date By Which Violation Must be Abated: 07/13/2012
Proposed Penalty: \$7,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace with an evaluation which included a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer could not identify or reasonably estimate the employee exposure, the employer did not consider the atmosphere to be IDLH:

Reactions Area - An Industrial Scientific Corporation (ISC) iTrans Part Number 77023554 Hydrogen Sulfide (H₂S) Monitor was mounted on the East wall of the Reactions Area. Employees also wore BW Technologies GasAlertClip Extreme Model GA2XT-H H₂S Monitors. The H₂S concentrations measured by the fixed (wall) H₂S monitor and the personal H₂S monitors were not recorded or used to evaluate the respiratory hazards. Even though there was no reasonable estimate of employee exposure to H₂S, the employer did not consider the atmosphere inside of the Reactions Area to be IDLH. Compounders inside of the Reactions Area were exposed to H₂S concentrations up to approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 parts per million (ppm) (Ceiling) and 2.0 times the NIOSH IDLH of 100 ppm.

Date By Which Violation Must be Abated:

07/13/2012

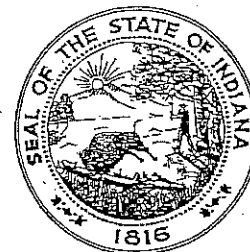
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.134(d)(2)(i): The employer did not provide a full facepiece pressure demand SCBA certified by NIOSH for a minimum service life of thirty minutes, or a combination full facepiece pressure demand supplied-air respirator (SAR) with auxiliary self-contained air supply for employee use in IDLH atmospheres:

(a) Reactions Area - A Compounder was exposed to hydrogen sulfide at 172 parts per million (ppm); approximately 8.60 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling) and approximately 1.72 times the NIOSH IDLH of 100 ppm. The exposure level was derived at 2:21:16 pm on January 26, 2012. The Compounder who was exposed to this hydrogen sulfide concentration wore a North Full-Face Respirator with North Model 75SC Multi-Gas Respirator Cartridges, and Compounders did not evacuate the Reactions Area when their personal hydrogen sulfide monitor alarmed.

(b) Reactions Area - A Compounder was exposed to hydrogen sulfide at 200 parts per million (ppm); approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling) and approximately 2.0 times the NIOSH IDLH of 100 ppm. The exposure level was derived at 2:21:21 pm on January 26, 2012. The Compounder who was exposed to this hydrogen sulfide concentration wore a North Full-Face Respirator with North Model 75SC Multi-Gas Respirator Cartridges, and Compounders did not evacuate the Reactions Area when their personal hydrogen sulfide monitor alarmed.

(c) Reactions Area - A Compounder was exposed to hydrogen sulfide at 200 parts per million (ppm); approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling) and approximately 2.0 times the NIOSH IDLH of 100 ppm. The exposure level was derived at 2:21:26 pm on January 26, 2012. The Compounder who was exposed to this hydrogen sulfide concentration wore a North Full-Face Respirator with North Model 75SC Multi-Gas Respirator Cartridges, and Compounders did not evacuate the Reactions Area when their personal hydrogen sulfide monitor alarmed.

(d) Reactions Area - A Compounder was exposed to hydrogen sulfide at 125 parts per million (ppm); approximately 6.25 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling) and approximately 2.0 times the NIOSH IDLH of 100 ppm. The exposure level was derived at 2:21:31 pm on January 26, 2012. The Compounder who was exposed to this hydrogen sulfide concentration wore a North Full-Face Respirator with North Model 75SC Multi-Gas Respirator Cartridges, and Compounders did not evacuate the Reactions Area when their personal hydrogen sulfide monitor alarmed.

Date By Which Violation Must be Abated:

07/13/2012

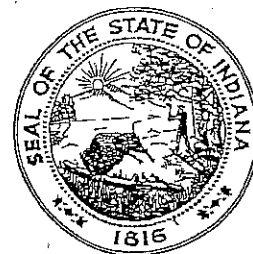
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.134(d)(3)(i): The employer did not provide a respirator that was adequate to protect the health of the employee and ensure compliance with all other OSHA statutory and regulatory requirements, under routine and reasonably foreseeable emergency situations:

X-Oil Room, Liquid Compounding - Compounders who were exposed to diacetyl (2,3-butanedione) were required to wear full-face air-purifying respirators (APR) with organic vapor cartridges. While wearing these APRs, Compounders were exposed to diacetyl concentrations in excess of approximately 400 times the American Conference of Governmental Industrial Hygienists (ACGIH) 2012 Threshold Limit Value (TLV-STEL) of 0.02 parts per million (ppm) for diacetyl. Based on these exposure levels (concentrations), the Compounders' exposure to diacetyl was above the maximum use concentration (MUC) for the full-face APR.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$7,000.00

Safety Order 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.134(d)(3)(i)(B)(1): The employer did not select a respirator for employee use that maintained the employee's exposure to the hazardous substance, when measured outside the respirator, at or below the maximum use concentration (MUC):

X-Oil Room, Liquid Compounding - Compounders who were exposed to diacetyl (2,3-butanedione) were required to wear full-face air-purifying respirators (APR) equipped with organic vapor cartridges. While wearing these APRs, Compounders were exposed to diacetyl concentrations in excess of approximately 400 times the American Conference of Governmental Industrial Hygienists (ACGIH) 2012 Threshold Limit Value (TLV-STEL) of 0.02 parts per million (ppm) for diacetyl. Based on these exposure levels (concentrations), the Compounders' exposure to diacetyl was above the maximum use concentration (MUC) for the full-face APR.

Date By Which Violation Must be Abated:

07/13/2012

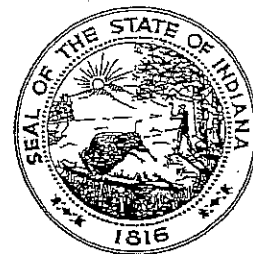
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.134(m)(4): Written materials required to be retained under this paragraph were not made available upon request to affected employees and to the Assistant Secretary or designee for examination and copying:

Facility Wide - Upon written request from the Compliance Officers, Sensient Flavors did not produce for examination or copying the written recommendation regarding each employee's ability to wear a respirator.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$5,000.00

Safety Order 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.138(a): The employer did not select and require employees to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes:

Warehouse (Near Dry Blend), Storage Rack Number - 80F09A - An Environmental, Health and Safety (EHS) Engineer handled and removed the lid from a container of 6-Methylcoumarin (K01552) without wearing chemical resistant gloves. The container contained 6-Methylcoumarin powder, which potentially causes skin irritation and skin lesions and could be potentially absorbed through the skin.

Date By Which Violation Must be Abated:

07/13/2012

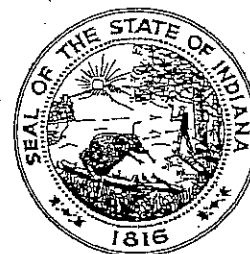
Proposed Penalty:

\$2,500.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

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Inspection Dates: 09/15/2011 - 04/20/2012
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Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.146(d)(9): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces to rescued employees, and for preventing unauthorized personnel from attempting a rescue:

Liquid Compounding and Flammable Liquid Compounding Areas - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to process vessels and tanks. Sensient Flavors' confined space entry rescue service was the Wayne Township Fire Department (WTFD), who was to be contacted through "911". However, the WTFD was not equipped, trained or proficient in performing confined space entry rescues. In fact, the WTFD does not have a confined space entry rescue team.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$5,000.00

Safety Order 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.146(k)(1)(i): The employer did not evaluate the prospective rescuer's ability to respond to a rescue summons in a timely manner, considering the hazards identified:

Liquid Compounding and Flammable Liquid Compounding Areas - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to process vessels and tanks. Sensient Flavors' confined space entry rescue service was the Wayne Township Fire Department (WTFD), who was to be contacted through "911". However, the WTFD was not equipped, trained or proficient in performing confined space entry rescues. In fact, the WTFD does not have a confined space entry rescue team.

Date By Which Violation Must be Abated:

07/13/2012

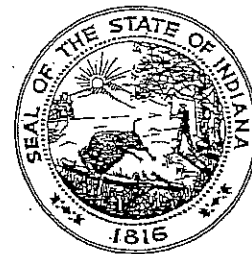
Proposed Penalty:

\$5,000.00

Indiana Department of Labor

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Company Name: Sensient Flavors, LLC
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Safety Order 1 Item 23 Type of Violation: **Serious**

29 CFR 1910.146(k)(1)(ii): The employer did not evaluate a prospective rescue service's ability, in terms of proficiency with rescue-related tasks and equipment, to function appropriately while rescuing entrants from the particular permit space or types of permit spaces identified:

Liquid Compounding and Flammable Liquid Compounding Areas - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to process vessels and tanks. Sensient Flavors' confined space entry rescue service was the Wayne Township Fire Department (WTFD), who was to be contacted through "911". However, the WTFD was not equipped, trained or proficient in performing confined space entry rescues. In fact, the WTFD does not have a confined space entry rescue team.

Date By Which Violation Must be Abated: 07/13/2012
Proposed Penalty: \$5,000.00

Safety Order 1 Item 24 Type of Violation: **Serious**

29 CFR 1910.146(k)(1)(iv): The employer did not inform each rescue team or service of the hazards they may confront when called on to perform rescue at the site:

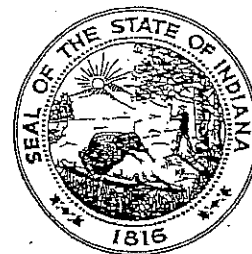
Liquid Compounding and Flammable Liquid Compounding Areas - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to process vessels and tanks. Sensient Flavors' confined space entry rescue service was the Wayne Township Fire Department (WTFD), who was to be contacted through "911". However, the WTFD was not equipped, trained or proficient in performing confined space entry rescues. In fact, the WTFD does not have a confined space entry rescue team.

Date By Which Violation Must be Abated: 07/13/2012
Proposed Penalty: \$5,000.00

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Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 25 Type of Violation: **Serious**

29 CFR 1910.146(k)(5)(v): The employer did not provide the rescue team or service selected with access to all permit spaces from which rescue may have been necessary so that the rescue service could develop appropriate rescue plans and practice rescue operations:

Liquid Compounding and Flammable Liquid Compounding Areas - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to process vessels and tanks. Sensient Flavors' confined space entry rescue service was the Wayne Township Fire Department (WTFD), who was to be contacted through "911". However, the WTFD was not equipped, trained or proficient in performing confined space entry rescues. In fact, the WTFD does not have a confined space entry rescue team.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$5,000.00

Safety Order 1 Item 26 Type of Violation: **Serious**

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, or approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

Parking Lot (5700 Area) - Receiving employees accessed flammable and/or combustible liquids stored inside of six trailers which were located outside of the facility. Electrical equipment and installations such as, but not limited to the Thermo King Model 210-30 Air Return Bulkhead used on these six trailers were not listed or approved for use in a Class I, Division 2 hazardous location.

Date By Which Violation Must be Abated:

07/13/2012

Proposed Penalty:

\$5,000.00

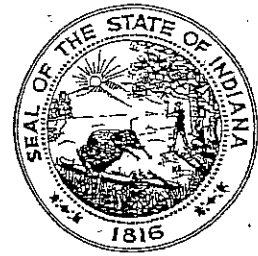
Indiana Department of Labor

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Administration

Inspection Number: 315051318

Inspection Dates: 09/15/2011 -
04/20/2012

Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 27 Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees had not been previously trained about was introduced to their work area:

Facility Wide - Employees were not provided effective training on the physical and health hazards associated with hazardous chemicals such as, but not limited to diacetyl (2-3-butanedione) and hydrogen sulfide (H₂S).

Date By Which Violation Must be Abated:

07/13/2012

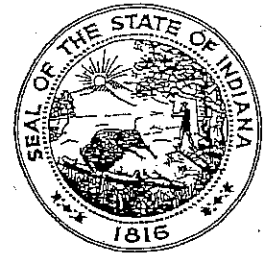
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

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Administration

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Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 2 Item 1 Type of Violation: **Knowing**

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to harmful airborne concentrations of diacetyl (2,3-butanedione) which could lead to employees experiencing injuries and/or illnesses such as, but not limited to permanent lung impairment and/or disease:

(a) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 3.18 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 159 times the 2012 American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 169 times the limit of quantification (LOQ). The exposure level was derived from a 9 minute sampling period on December 19, 2011. Zero exposure was assumed for the 6 minutes not sampled.

(b) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0994 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 9.94 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and approximately 169 times the limit of quantification (LOQ). The exposure level was derived from a 9 minute sampling period on December 19, 2011. Zero exposure was assumed for the 471 minutes not sampled.

(c) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 1.32 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 66 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 72 times the limit of quantification (LOQ). The exposure level was derived from a 9 minute sampling period on December 19, 2011. Zero exposure was assumed for the 6 minutes not sampled.

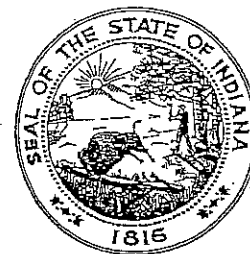
(d) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0413 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 4.13 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and approximately 169 times the limit of quantification (LOQ). The exposure level was derived from a 9 minute sampling period on December 19, 2011. Zero exposure was assumed for the 471 minutes not sampled.

(e) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 6.10 parts per

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million (ppm) for a 15-minute time-weighted average (TWA); approximately 305 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 328 times the limit of quantification (LOQ). The exposure level was derived from a 15 minute sampling period on December 21, 2011.

(f) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 3.23 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 162 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 174 times the limit of quantification (LOQ). The exposure level was derived from a 10 minute sampling period on December 21, 2011. Zero exposure was assumed for the 5 minutes not sampled.

(g) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.2917 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 29 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and an average of approximately 251 times the limit of quantification (LOQ). The exposure level was derived from a 25 minute sampling period on December 21, 2011. Zero exposure was assumed for the 455 minutes not sampled.

(h) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 6.13 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 307 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 335 times the limit of quantification (LOQ). The exposure level was derived from a 14 minute sampling period on December 21, 2011. Zero exposure was assumed for the 1 minute not sampled.

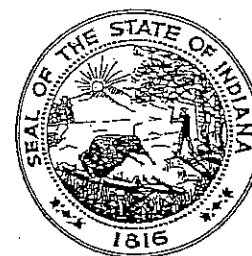
(i) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 1.57 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 79 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 86 times the limit of quantification (LOQ). The exposure level was derived from a 11 minute sampling period on December 21, 2011. Zero exposure was assumed for the 4 minutes not sampled.

(j) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.2407 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 24 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and an average of approximately 210 times the limit of quantification (LOQ). The exposure level was derived from a 25 minute sampling period on December 21, 2011. Zero exposure was assumed for the 455 minutes not sampled.

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Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

(k) Packaging Department - A Packager was exposed to diacetyl (2,3-butanedione) at 0.0134 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.34 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and approximately 8.85 times the limit of quantification (LOQ). The exposure level was derived from a 92 minute sampling period on January 18, 2011. Zero exposure was assumed for the 388 minutes not sampled.

(l) Packaging Department - A Packager was exposed to diacetyl (2,3-butanedione) at 0.05 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 2.58 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 2.8 times the limit of quantification (LOQ). The exposure level was derived from a 13 minute sampling period on January 18, 2011. Zero exposure was assumed for the 2 minutes not sampled.

(m) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.9013 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 45 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 48 times the limit of quantification (LOQ). The exposure level was derived from a 13 minute sampling period on February 10, 2012. Zero exposure was assumed for the 2 minutes not sampled.

(n) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.2370 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 12 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 13 times the limit of quantification (LOQ). The exposure level was derived from a 15 minute sampling period on February 10, 2012.

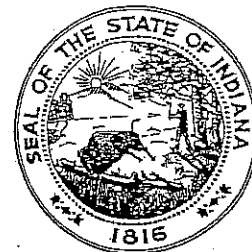
(o) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 5.28 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 264 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 279 times the limit of quantification (LOQ). The exposure level was derived from a 14 minute sampling period on February 10, 2012. Zero exposure was assumed for the 1 minute not sampled.

(p) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 8.40 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 420 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 445 times the limit of quantification (LOQ). The exposure level was derived from a 12 minute sampling period on February 10, 2012. Zero exposure was assumed for the 3 minutes not sampled.

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(q) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.4632 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 46 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and an average of approximately 196 times the limit of quantification (LOQ). The exposure level was derived from a 54 minute sampling period on February 10, 2012. Zero exposure was assumed for the 426 minutes not sampled.

(r) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 2.70 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 135 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 144 times the limit of quantification (LOQ). The exposure level was derived from a 12 minute sampling period on February 10, 2012. Zero exposure was assumed for the 3 minutes not sampled.

(s) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0339 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 1.70 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 1.80 times the limit of quantification (LOQ). The exposure level was derived from a 15 minute sampling period on February 10, 2012.

(t) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 4.79 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 240 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 254 times the limit of quantification (LOQ). The exposure level was derived from a 15 minute sampling period on February 10, 2012.

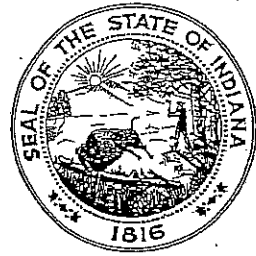
(u) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 9.19 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 459 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 486 times the limit of quantification (LOQ). The exposure level was derived from a 13 minute sampling period on February 10, 2012. Zero exposure was assumed for the 2 minutes not sampled.

(v) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.5223 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 52 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and an average of approximately 221 times the limit of quantification (LOQ). The exposure level was derived from a 55 minute sampling period on February 10, 2012. Zero exposure was assumed for the 425 minutes not sampled.

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Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

(w) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.050 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 2.28 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 2.42 times the limit of quantification (LOQ). The exposure level was derived from a 11 minute sampling period on February 13, 2012. Zero exposure was assumed for the 4 minutes not sampled.

(x) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.324 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 16 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 17 times the limit of quantification (LOQ). The exposure level was derived from a 15 minute sampling period on February 13, 2012.

(y) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0115 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.15 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and an average of approximately 9.78 times the limit of quantification (LOQ). The exposure level was derived from a 26 minute sampling period on February 13, 2012. Zero exposure was assumed for the 454 minutes not sampled.

(z) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0764 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 3.82 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 4.05 times the limit of quantification (LOQ). The exposure level was derived from a 12 minute sampling period on February 13, 2012. Zero exposure was assumed for the 3 minutes not sampled.

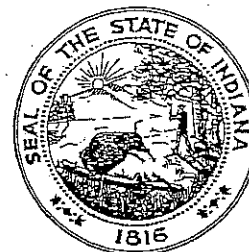
(aa) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.493 parts per million (ppm) for a 15-minute time-weighted average (TWA); approximately 25 times the 2012 ACGIH Threshold Limit Value (TLV-STEL) of 0.02 ppm for diacetyl and approximately 26 times the limit of quantification (LOQ). The exposure level was derived from a 15 minute sampling period on February 13, 2012.

(bb) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0178 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.78 times the 2012 ACGIH Threshold Limit Value (TLV-TWA) of 0.01 ppm for diacetyl and an average of approximately 15 times the limit of quantification (LOQ). The exposure level was derived from a 27 minute sampling period on February 13, 2012. Zero exposure was assumed for the 453 minutes not sampled.

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Among other methods, one feasible and acceptable method to correct this hazard is to install a local exhaust ventilation (LEV) system in the portions of the X-Oil Room and Packaging Department where diacetyl (2,3-butanedione) is transferred. This LEV system should be sufficient in power (capture velocity, flowrate, etc.) and location so that any diacetyl (2,3-butanedione) that is generated and/or emitted during transfer/pouring operations is removed from the point of use or generation prior to entering employees' breathing zones.

Abatement Schedule

STEP 1- Effective respiratory protection shall be provided to and used by exposed employees as an interim measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Date By Which STEP 1 Must be Abated

07/06/2012

STEP 2- A written detailed plan of abatement shall be submitted to the Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to noise as referenced in this Safety Order. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this Safety Order:

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 30-day progress reports are required during the abatement period.

Date By Which STEP 2 Must be Abated

08/06/2012

STEP 3- Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Date By Which Violation Must be Abated:

09/17/2012

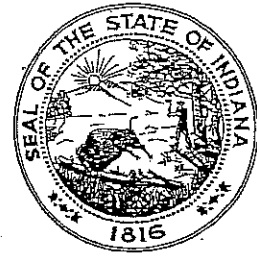
Proposed Penalty:

\$70,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN. 46241

Safety Order 2 Item 2 Type of Violation: **Knowing**

29 CFR 1910.134(d)(1)(i): The employer did not select and provide an appropriate respirator based on the respiratory hazard(s) to which the worker was exposed and workplace and user factors that affected respirator performance and reliability:

(a) Reactions Area - On January 18, 2012, Compounders who were exposed to hydrogen sulfide (H_2S) wore North Model P/80802 Full-Face Respirators equipped with North Part Number N7500-4 AM/MA (ammonia/methylamine) Respirator Cartridges. While pouring ammonium sulfide into a reactor, one of the Compounder's personal H_2S meters alarmed.

(b) X-Oil Room, Liquid Compounding - Compounders who were exposed to diacetyl (2-3-butanedione) wore 3M full-face air-purifying respirators with 3M Part Number 6003 Organic Vapor/Acid Gas Respirator Cartridges which were not equipped with particulate filters. While wearing these APRs, Compounders were exposed to diacetyl concentrations in excess of approximately 400 times the American Conference of Governmental Industrial Hygienists (ACGIH) 2012 Threshold Limit Value (TLV-STEL) of 0.02 parts per million (ppm) for diacetyl.

Date By Which Violation Must be Abated:

07/13/2012

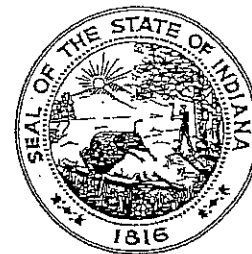
Proposed Penalty:

\$70,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
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Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness or injury resulting from an accident.

Safety Order 2 Item 3a Type of Violation: **Knowing**

29 CFR 1910.1000(b)(2): Employees were exposed to airborne concentrations of hydrogen sulfide, listed in Table Z-2, in excess of twenty parts per million of hydrogen sulfide (20 ppm) as an acceptable Ceiling concentration:

(a) Reactions Area - A Compounder was exposed to hydrogen sulfide at 25 parts per million (ppm); approximately 1.25 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 12:59:50 pm on January 25, 2012.

(b) Reactions Area - A Compounder was exposed to hydrogen sulfide at 24 parts per million (ppm); approximately 1.20 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 12:59:55 pm on January 25, 2012.

(c) Reactions Area - A Compounder was exposed to hydrogen sulfide at 31 parts per million (ppm); approximately 1.55 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:15:06 pm on January 26, 2012.

(d) Reactions Area - A Compounder was exposed to hydrogen sulfide at 38 parts per million (ppm); approximately 1.90 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:15:11 pm on January 26, 2012.

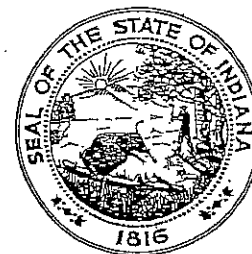
(e) Reactions Area - A Compounder was exposed to hydrogen sulfide at 35 parts per million (ppm); approximately 1.75 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:15:16 pm on January 26, 2012.

(f) Reactions Area - A Compounder was exposed to hydrogen sulfide at 172 parts per million (ppm); approximately 8.60 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:16 pm on January 26, 2012.

Indiana Department of Labor

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Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

(g) Reactions Area - A Compounder was exposed to hydrogen sulfide at 200 parts per million (ppm); approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:21 pm on January 26, 2012.

(h) Reactions Area - A Compounder was exposed to hydrogen sulfide at 200 parts per million (ppm); approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:26 pm on January 26, 2012.

(i) Reactions Area - A Compounder was exposed to hydrogen sulfide at 125 parts per million (ppm); approximately 6.25 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:31 pm on January 26, 2012.

(j) Reactions Area - A Compounder was exposed to hydrogen sulfide at 66 parts per million (ppm); approximately 3.30 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:36 pm on January 26, 2012.

(k) Reactions Area - A Compounder was exposed to hydrogen sulfide at 44 parts per million (ppm); approximately 2.20 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:41 pm on January 26, 2012.

(l) Reactions Area - A Compounder was exposed to hydrogen sulfide at 36 parts per million (ppm); approximately 1.80 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:46 pm on January 26, 2012.

(m) Reactions Area - A Compounder was exposed to hydrogen sulfide at 26 parts per million (ppm); approximately 1.30 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:51 pm on January 26, 2012.

Date By Which Violation Must be Abated:

09/17/2012

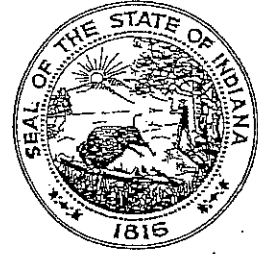
Proposed Penalty:

\$70,000.00

Indiana Department of Labor

Indiana Occupational Safety and Health
Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 04/20/2012
Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 2 Item 3b Type of Violation: **Knowing**

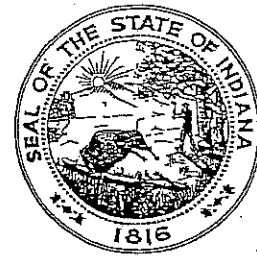
29 CFR 1910.1000(e): To achieve compliance with paragraphs (a) through (d) of this section, administrative or engineering controls were not determined and implemented whenever feasible:

- (a) Reactions Area - A Compounder was exposed to hydrogen sulfide at 25 parts per million (ppm); approximately 1.25 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 12:59:50 pm on January 25, 2012.
- (b) Reactions Area - A Compounder was exposed to hydrogen sulfide at 24 parts per million (ppm); approximately 1.20 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 12:59:55 pm on January 25, 2012.
- (c) Reactions Area - A Compounder was exposed to hydrogen sulfide at 31 parts per million (ppm); approximately 1.55 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:15:06 pm on January 26, 2012.
- (d) Reactions Area - A Compounder was exposed to hydrogen sulfide at 38 parts per million (ppm); approximately 1.90 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:15:11 pm on January 26, 2012.
- (e) Reactions Area - A Compounder was exposed to hydrogen sulfide at 35 parts per million (ppm); approximately 1.75 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:15:16 pm on January 26, 2012.
- (f) Reactions Area - A Compounder was exposed to hydrogen sulfide at 172 parts per million (ppm); approximately 8.60 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:16 pm on January 26, 2012.

Indiana Department of Labor

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Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

(g) Reactions Area - A Compounder was exposed to hydrogen sulfide at 200 parts per million (ppm); approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:21 pm on January 26, 2012.

(h) Reactions Area - A Compounder was exposed to hydrogen sulfide at 200 parts per million (ppm); approximately 10.0 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:26 pm on January 26, 2012.

(i) Reactions Area - A Compounder was exposed to hydrogen sulfide at 125 parts per million (ppm); approximately 6.25 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:31 pm on January 26, 2012.

(j) Reactions Area - A Compounder was exposed to hydrogen sulfide at 66 parts per million (ppm); approximately 3.30 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:36 pm on January 26, 2012.

(k) Reactions Area - A Compounder was exposed to hydrogen sulfide at 44 parts per million (ppm); approximately 2.20 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:41 pm on January 26, 2012.

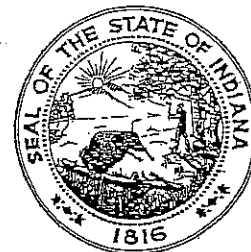
(l) Reactions Area - A Compounder was exposed to hydrogen sulfide at 36 parts per million (ppm); approximately 1.80 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:46 pm on January 26, 2012.

(m) Reactions Area - A Compounder was exposed to hydrogen sulfide at 26 parts per million (ppm); approximately 1.30 times the OSHA Permissible Exposure Limit (PEL) of 20 ppm (Ceiling). The exposure level was derived at 2:21:51 pm on January 26, 2012.

Indiana Department of Labor

Indiana Occupational Safety and Health
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Inspection Number: 315051318
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Issuance Date: 06/18/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Abatement Schedule

STEP 1- Effective respiratory protection shall be provided to and used by exposed employees as an interim measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Date By Which STEP 1 Must be Abated

07/06/2012

STEP 2- A written detailed plan of abatement shall be submitted to the Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to noise as referenced in this Safety Order. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this Safety Order:

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 30-day progress reports are required during the abatement period.

Date By Which STEP 2 Must be Abated

08/06/2012

STEP 3- Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Date By Which Violation Must be Abated:

10/17/2012


Jeffrey S. Carter
Deputy Commissioner, IOSHA

Indiana Department of Labor

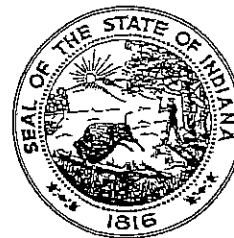
Indiana Occupational Safety and Health Administration

402 West Washington Street

Room W195

Indianapolis, IN 46204-2751

Phone: 317/232-1979 Fax: 317/233-8509



INVOICE/DEBT COLLECTION NOTICE

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241
Issuance Date: 06/18/2012

Summary of Penalties for Inspection Number	315051318
Safety Order 01, Serious	= \$113,500.00
Safety Order 02, Knowing	= \$210,000.00
Total Proposed Penalties	\$323,500.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).


Jeffrey S. Carter

Deputy Commissioner, IOSHA

06/18/2012
Date

EXHIBIT B

AGREED ENTRY - SENSIENT FLAVORS LLC
(CASE DOCKET NO. 12-006 and 12-015)

Safety Order 1 Item 17 --

X-Oil Room, Liquid Compounding - Compounders who were exposed to diacetyl (2,3-butanedione) were required to wear full-face air-purifying respirators (APR) with organic vapor cartridges. While wearing these APRs, Compounders were exposed to diacetyl concentrations in excess of approximately 40 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm.

Safety Order 1 Item 18 --

X-Oil Room, Liquid Compounding - Compounders who were exposed to diacetyl (2,3-butanedione) were required to wear full-face air-purifying respirators (APR) with organic vapor cartridges. While wearing these APRs, Compounders were exposed to diacetyl concentrations in excess of approximately 40 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm.

Safety Order 2 Item 1 -

(a) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 3.18 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 1.5 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 9 minute sampling period on December 19, 2011. Zero exposure was assumed for the 6 minutes not sampled.

(b) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.0994 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 2 times the 2009 OSHA proposed diacetyl TWA permissible exposure limit (PEL) of 0.05 ppm. The exposure level was derived from a 9 minute sampling period on December 19, 2011. Zero exposure was assumed for the 471 minutes not sampled.

(c) X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 1.32 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 6.6 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm.

(d) Delete as not exceeding threshold of 0.05 ppm TWA.

(e) Change lettering from (e) to (d)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 6.10 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 30.5 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 15 minute sampling period on December 21, 2011.

(f) Change lettering from (f) to (e)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 3.23 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 16.2 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 10 minute sampling period on December 21, 2011. Zero exposure was assumed for the 5 minutes not sampled.

(g) Change lettering from (g) to (f)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.2917 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 5.8 times the 2009 OSHA proposed diacetyl TWA permissible exposure limit (PEL) of 0.05 ppm. The exposure level was derived from a 25 minute sampling period on December 21, 2011. Zero exposure was assumed for the 455 minutes not sampled.

(h) Change lettering from (h) to (g)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 6.13 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 30.7 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 14 minute sampling period on December 21, 2011. Zero exposure was assumed for the 1 minute not sampled.

(i) Change lettering from (i) to (h)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 1.57 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 7.9 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 11 minute sampling period on December 21, 2011. Zero exposure was assumed for the 4 minutes not sampled.

(j) Change lettering from (j) to (i)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.2407 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 4.8 times the 2009 OSHA proposed diacetyl TWA permissible exposure limit (PEL) of 0.05 ppm. The exposure level was derived from a 25 minute sampling period on December 21, 2011. Zero exposure was assumed for the 455 minutes not sampled.

(k) Delete as not exceeding threshold of 0.05 ppm TWA.

(l) Delete as not exceeding threshold of 0.20 ppm STEL.

(m) Change lettering from (m) to (j)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.9013 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 4.5 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 13 minute sampling period on February 10, 2012. Zero exposure was assumed for the 2 minutes not sampled.

(n) Change lettering from (n) to (k)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.2370 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 1.2 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 15 minute sampling period on February 10, 2012.

(o) Change lettering from (o) to (l)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 5.28 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 26.4 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 14 minute sampling period on February 10, 2012. Zero exposure was assumed for the 1 minute not sampled.

(p) Change lettering from (p) to (m)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 8.40 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 42 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 12 minute sampling period on February 10, 2012. Zero exposure was assumed for the 3 minutes not sampled.

(q) Change lettering from (q) to (n)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.4632 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 9.3 times the 2009 OSHA proposed diacetyl TWA permissible exposure limit (PEL) of 0.05 ppm. The exposure level was derived from a 54 minute sampling period on February 10, 2012. Zero exposure was assumed for the 426 minutes not sampled.

(r) Change lettering from (r) to (o)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 2.70 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 13.5 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 12 minute sampling period on February 10, 2012. Zero exposure was assumed for the 3 minutes not sampled.

(s) Delete as not exceeding threshold of 0.20 ppm STEL.

(t) Change lettering from (t) to (p)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 4.79 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 24 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 15 minute sampling period on February 10, 2012.

(u) Change lettering from (u) to (q)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 9.19 parts per million (ppm) for 15 minute time-weighted average (TWA); approximately 46 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm. The exposure level was derived from a 13 minute sampling period on February 10, 2012. Zero exposure was assumed for the 2 minutes not sampled.

(v) Change lettering from (v) to (r)

X-Oil Room, Liquid Compounding - A Compounder was exposed to diacetyl (2,3-butanedione) at 0.5223 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 10.4 times the 2009 OSHA proposed diacetyl TWA permissible exposure limit (PEL) of 0.05 ppm. The exposure level was derived from a 55 minute sampling period on February 10, 2012. Zero exposure was assumed for the 425 minutes not sampled.

(w) Delete as no diacetyl was used on February 13, 2012. It was only an acetoin pour.

(x) Delete as no diacetyl was used on February 13, 2012. It was only an acetoin pour.

(y) Delete as no diacetyl was used on February 13, 2012. It was only an acetoin pour.

(z) Delete as no diacetyl was used on February 13, 2012. It was only an acetoin pour.

(aa) Delete as no diacetyl was used on February 13, 2012. It was only an acetoin pour.

(bb) Delete as no diacetyl was used on February 13, 2012. It was only an acetoin pour.

Originally – Safety Order 2 Item 2(b) – changes to subparagraph under Safety Order 1 Item 17 (Respirator)

(b) X-Oil Room, Liquid Compounding - Compounders who were exposed to diacetyl (2,3-butanedione) while wearing full-face air-purifying respirators (APR) with 3M Part Number 6003 Organic Vapor/Acid Respirator Cartridges in excess of approximately 40 times the 2009 OSHA proposed diacetyl short term exposure limit (STEL) of 0.20 ppm.